



General Assembly

February Session, 2008

Raised Bill No. 672

LCO No. 3034

03034_____JUD

Referred to Committee on Judiciary

Introduced by:
(JUD)

***AN ACT CONCERNING THE REVISOR'S TECHNICAL CORRECTIONS
TO THE GENERAL STATUTES.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (a) of section 3-20a of the 2008 supplement to
2 the general statutes is repealed and the following is substituted in lieu
3 thereof (*Effective from passage*):

4 (a) Provisions of this section shall apply to general obligation bonds
5 or notes issued pursuant to section 3-20, special tax obligation bonds or
6 notes issued pursuant to sections 13b-74 to 13b-77, inclusive,
7 abandoned property fund bonds issued pursuant to section 3-62h,
8 Clean Water Fund bonds or notes issued pursuant to section 22a-483 of
9 the 2008 supplement to the general statutes, Bradley International
10 Airport bonds or notes issued pursuant to sections 15-101k to 15-101p,
11 inclusive, unemployment compensation bonds or notes issued
12 pursuant to sections 31-264a and 31-264b, UConn 2000 bonds or notes
13 issued pursuant to sections 10a-109a to 10a-109y, inclusive, Second
14 Injury Fund bonds or notes issued pursuant to section 31-354b and
15 sections 8 and 9 of public act 96-242*, [and] revenue anticipation bonds
16 issued pursuant to section 13b-79r, and municipal pension solvency

17 account bonds issued pursuant to section 7-406o of the 2008
18 supplement to the general statutes.

19 Sec. 2. Subsection (f) of section 4-68o of the 2008 supplement to the
20 general statutes is repealed and the following is substituted in lieu
21 thereof (*Effective from passage*):

22 (f) The division shall publish the first annual outcome report not
23 later than January 1, 2007, and shall publish an annual outcome report
24 not later than February fifteenth of each year thereafter. Such report
25 may be included as part of the report submitted under section 4-68p of
26 the 2008 supplement to the general statutes.

27 Sec. 3. Subsection (b) of section 4b-15b of the 2008 supplement to the
28 general statutes is repealed and the following is substituted in lieu
29 thereof (*Effective from passage*):

30 (b) Each lease agreement entered into on and after July 1, 2007, by
31 any state department to lease all or part of any building to be occupied
32 by state employees or others shall contain a provision requiring the
33 lessor to make all necessary efforts during the term of the lease
34 agreement to maintain the structure and mechanical systems of the
35 building as necessary to sustain the indoor air quality in the building
36 [to] at the levels in existence at the time the premises were accepted
37 and to carry out the indoor air quality protocol established under
38 subsection (a) of this section.

39 Sec. 4. Subsection (d) of section 7-131 of the general statutes is
40 repealed and the following is substituted in lieu thereof (*Effective from*
41 *passage*):

42 (d) The legislative body of any town, city or borough may vote to
43 assign to its forest commission or, in the absence of a forest
44 commission, to a shade tree commission, to be constituted and
45 appointed in the manner provided for in subsection (b) of this section
46 for a forest commission, the supervision of public shade trees within

47 such town, city or borough not under the supervision of the
48 Commissioner of Transportation, including the appointment of the
49 town tree warden and the supervision of [his] the tree warden's work.

50 Sec. 5. Subsection (c) of section 7-151a of the 2008 supplement to the
51 general statutes is repealed and the following is substituted in lieu
52 thereof (*Effective from passage*):

53 (c) In addition to the power granted in subsection (a) of this section,
54 a lake authority may be granted by the legislative bodies of its
55 respective towns powers to: (1) Control and abate algae and aquatic
56 weeds in cooperation with the Commissioner of Environmental
57 Protection; (2) study water management including, but not limited to,
58 water depth and circulation and make recommendations for action to
59 its member towns; (3) act as agent for member towns with respect to
60 filing applications for grants and reimbursements with the Department
61 of Environmental Protection and other state agencies in connection
62 with state and federal programs; and (4) [to] act as agent for member
63 towns with respect to receiving gifts for any of its purposes.

64 Sec. 6. Subsection (e) of section 7-323c of the general statutes is
65 repealed and the following is substituted in lieu thereof (*Effective from*
66 *passage*):

67 (e) The rates of contribution referred to in subsections (b) and (c) of
68 this section shall be proportions of the pay of members, which shall
69 each be uniform for each participating municipality, [;] except that, if
70 any error or omission in the data furnished to the commission by any
71 municipality causes the contribution rate fixed by the commission for
72 any year under subsection (c) of this section to be insufficient, the
73 entire amount of any required increase shall be charged to the
74 municipality or municipalities by which such errors or omissions were
75 made.

76 Sec. 7. Subdivision (3) of section 7-425 of the 2008 supplement to the
77 general statutes is repealed and the following is substituted in lieu

78 thereof (*Effective from passage*):

79 (3) "Legislative body" means, for towns having a town council, the
80 council; for other towns, the selectmen; for cities, the common council
81 or other similar body of officials; for boroughs, the warden and
82 burgesses; for regional school districts, the regional board of
83 education; for district departments of health, the board of the district;
84 for probate districts, the judge of probate; for regional planning
85 agencies, the regional planning board; for regional emergency
86 telecommunications [center] centers, a representative board; for
87 tourism districts, the board of directors of such tourism district; and in
88 all other cases the body authorized by the general statutes or by special
89 act to make ordinances for the municipality.

90 Sec. 8. Subsection (b) of section 8-265i of the general statutes is
91 repealed and the following is substituted in lieu thereof (*Effective from*
92 *passage*):

93 (b) Any mortgage shall be for a term of not more than six years. The
94 Connecticut Housing Finance Authority shall establish written
95 procedures, in accordance with section [1-120] 1-121, setting forth
96 eligibility criteria for homeowners and specifying medical and other
97 costs that may be covered by loan payments.

98 Sec. 9. Subsection (b) of section 10-158a of the general statutes is
99 repealed and the following is substituted in lieu thereof (*Effective from*
100 *passage*):

101 (b) Subject to the provisions of subsection (c) of this section, any
102 board of education may withdraw from any agreement entered into
103 under subsection (a) of this section if, at least one year prior to the date
104 of the proposed withdrawal, it gives written notice of its intent to do so
105 to each of the other boards. Upon withdrawal by one or more boards
106 of education, two or more boards of education may continue their
107 commitment to the agreement. If two or more boards of education
108 continue the arrangement, then such committee established within the

109 arrangement may continue to hold title to any real or personal
110 property given to or purchased by the committee in trust for all the
111 boards of education which entered the agreement, unless otherwise
112 provided in the agreement or by law or by the grantor or donor of
113 such property. Upon dissolution of the committee, any property held
114 in trust shall be distributed in accordance with the agreement, if such
115 distribution is not contrary to law.

116 Sec. 10. Subsection (d) of section 10-221d of the general statutes is
117 repealed and the following is substituted in lieu thereof (*Effective from*
118 *passage*):

119 (d) (1) The provisions of this section shall not apply to a person
120 required to submit to [a] state and national criminal history records
121 [check] checks pursuant to the provisions of subsection [(d)] (e) of
122 section 14-44 of the 2008 supplement to the general statutes.

123 (2) The provisions of this section shall not apply to a student
124 employed by the local or regional school district in which the student
125 attends school.

126 (3) The provisions of subsection (a) of this section requiring state
127 and national criminal history records checks shall, at the discretion of a
128 local or regional board of education, apply to a person employed by a
129 local or regional board of education as a teacher for a noncredit adult
130 class or adult education activity, as defined in section 10-67, who is not
131 required to hold a teaching certificate pursuant to section 10-145b for
132 his or her position.

133 Sec. 11. Subsection (b) of section 12-2 of the general statutes is
134 repealed and the following is substituted in lieu thereof (*Effective from*
135 *passage*):

136 (b) Notwithstanding any provision of the general statutes, [to the
137 contrary,] the commissioner may issue administrative pronouncements
138 providing his interpretation of the tax laws. Within one hundred

eighty days from the issuance of any administrative pronouncement, the commissioner shall publish notice of intent to adopt regulations, in accordance with the provisions of chapter 54, to implement the provisions of any administrative pronouncement issued on or after August 22, 1991, and such regulations shall be presented to the legislative regulation review committee within six months from the date of the issuance of any such pronouncement. Such pronouncements shall not have the force and effect of regulations and shall carry a notice stating that the administrative pronouncements do not have the force and effect of law, provided taxpayers shall be entitled to rely on such pronouncements. For the purpose of this subsection, "administrative pronouncement" [shall mean] means a statement by the Commissioner of Revenue Services which provides his interpretation of the tax laws and which is published and made available to the public. The commissioner shall, with respect to any provision of the general statutes which authorizes the issuance of rules, file with the legislative regulation review committee, within six months after the issuance of such rules, regulations which implement the provisions of such rules.

Sec. 12. Subdivision (82) of section 12-412 of the 2008 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(82) (A) The sale of and the storage, use or other consumption of any commercial motor vehicle, as defined in subparagraphs (A) and (B) of subdivision (13) of [subsection (a) of] section 14-1 of the 2008 supplement to the general statutes, that is operating pursuant to the provisions of section 13b-88 or 13b-89, during the period commencing upon its purchase and ending one year after the date of purchase, provided seventy-five per cent of its revenue from its days in service is derived from out-of-state trips or trips crossing state lines.

(B) Each purchaser of a commercial motor vehicle exempt from tax pursuant to the provisions of this subsection shall, in order to qualify

171 for said exemption, present to the retailer a certificate, in such form as
172 the commissioner may prescribe, certifying that seventy-five per cent
173 of such vehicle's revenue from its days in service will be derived from
174 out-of-state trips or trips crossing state lines. The purchaser of the
175 motor vehicle shall be liable for the tax otherwise imposed if, during
176 the period commencing upon its purchase and ending one year after
177 the date of purchase, seventy-five per cent of the vehicle's revenue
178 from its days in service is not derived from out-of-state trips or trips
179 crossing state lines.

180 Sec. 13. Section 13b-50a of the 2008 supplement to the general
181 statutes is repealed and the following is substituted in lieu thereof
182 (*Effective from passage*):

183 The following initiatives shall be established to preserve
184 Connecticut's licensed [private] privately owned, [public] publicly
185 used airports which have a paved runway and a minimum of five
186 thousand operations per year: (1) The state shall have the right of first
187 refusal to purchase, via fair market value and state property
188 acquisition procedures, an airport, if that airport is threatened with
189 sale or closure, for the express purpose [in] of preserving the airport;
190 (2) the Commissioner of Transportation may acquire the development
191 rights, based on fair market value for such rights, of such airports,
192 provided the airport remains a public airport; (3) the state shall fund
193 capital improvements to private airports, in which case the state shall
194 participate in ninety per cent of the eligible costs and the balance by
195 the sponsor, with budget and priorities to be determined by the
196 Department of Transportation, and engineering in accordance with
197 Federal Aviation Administration Advisory Circulars; and (4) the
198 establishment of a new airport zoning category for the airport's
199 imaginary surfaces as defined by Federal Aviation Regulations.
200 Development within these surfaces shall require notices for proposed
201 construction and a federal determination of obstructions. Construction
202 of obstructions deemed hazardous to navigation shall not be allowed.

203 Sec. 14. Subsection (j) of section 13b-57g of the 2008 supplement to
204 the general statutes is repealed and the following is substituted in lieu
205 thereof (*Effective from passage*):

206 (j) Not later than January 1, 2007, and quadrennially thereafter, the
207 board shall review and, if necessary, revise the strategy adopted
208 pursuant to subsection (a) of this section. A report describing any
209 revisions and the reasons for [them] such revisions shall be submitted
210 to the Governor and, pursuant to section 11-4a, the General Assembly.
211 Such report shall include a prioritized list of projects which the board,
212 in consultation with the commissioner, determines are necessary to
213 implement the recommended strategy, including the estimated capital
214 and operating costs and time frame of such projects, and a completion
215 schedule for all projects. Not later than January 31, 2007, and
216 quadrennially thereafter, the joint standing committees of the General
217 Assembly having cognizance of matters relating to transportation,
218 finance, revenue and bonding and planning and development and the
219 chairpersons and ranking members of the joint standing committee
220 having cognizance of matters relating to commerce [,] shall meet with
221 the Commissioners of Transportation and Economic and Community
222 Development, the Secretary of the Office of Policy and Management,
223 the chairperson of the Transportation Strategy Board and such other
224 persons as they deem appropriate to consider the report required by
225 this subsection.

226 Sec. 15. Subsection (b) of section 14-12a of the general statutes is
227 repealed and the following is substituted in lieu thereof (*Effective from*
228 *passage*):

229 (b) (1) For the purposes of this section, a declaration of the person
230 registering a motor vehicle, made in such form as the Department of
231 Motor Vehicles may prescribe, shall be prima facie evidence of the
232 facts relevant to the application of subsection (a) of this section. (2)
233 Consistent with the provisions of this section, the Department of Motor
234 Vehicles shall have power to enter into agreements with the

235 appropriate authorities of other states pursuant to which uncertainties
236 as to the proper state of registration for motor vehicles may be
237 determined and allocations of vehicles for purposes of registration
238 made.

239 Sec. 16. Subsection (e) of section 14-36a of the 2008 supplement to
240 the general statutes is repealed and the following is substituted in lieu
241 thereof (*Effective from passage*):

242 (e) Any person who violates [any provision of] subsection (d) [or
243 (e)] of this section shall, for a first offense, be deemed to have
244 committed an infraction and be fined not less than thirty-five dollars or
245 more than fifty dollars and, for a subsequent offense, shall be fined not
246 more than one hundred dollars or imprisoned not more than thirty
247 days, or both.

248 Sec. 17. Subsection (b) of section 14-44 of the 2008 supplement to the
249 general statutes is repealed and the following is substituted in lieu
250 thereof (*Effective from passage*):

251 (b) No operator's license bearing an endorsement shall be issued or
252 renewed in accordance with the provisions of this section or section 14-
253 36a of the 2008 supplement to the general statutes, until the
254 commissioner, or the commissioner's authorized representative, is
255 satisfied that the applicant is a proper person to receive such an
256 operator's license bearing an endorsement, holds a valid motor vehicle
257 operator's license, or, if necessary for the class of vehicle operated, a
258 commercial driver's license and is at least eighteen years of age. Each
259 applicant for an operator's license bearing an endorsement or the
260 renewal of such a license shall furnish the commissioner, or the
261 commissioner's authorized representative, with satisfactory evidence,
262 under oath, to prove that such person [: Has] has no criminal record [.]
263 and has not been convicted of a violation of subsection (a) of section
264 14-227a within five years of the date of application and that no reason
265 exists for a refusal to grant or renew such an operator's license bearing
266 an endorsement. Each applicant for such an operator's license bearing

267 an endorsement shall submit with the application proof satisfactory to
 268 the commissioner that such applicant has passed a physical
 269 examination administered not more than ninety days prior to the date
 270 of application, and which is in compliance with safety regulations
 271 established from time to time by the United States Department of
 272 Transportation. Each applicant for renewal of such license shall
 273 present evidence that such applicant is in compliance with the medical
 274 qualifications established in 49 CFR 391, as amended. Each applicant
 275 for such an operator's license bearing an endorsement shall be
 276 fingerprinted before the license bearing an endorsement is issued.

277 Sec. 18. Subsection (c) of section 14-44i of the 2008 supplement to the
 278 general statutes is repealed and the following is substituted in lieu
 279 thereof (*Effective from passage*):

280 (c) There shall be charged, in addition to the fee provided in
 281 subsection (b) of this section for the commercial driver's license
 282 knowledge test, a fee of five dollars for each test for an endorsement to
 283 a commercial driver's license. There shall be charged, in addition to the
 284 fee provided in subsection (b) of this section for such knowledge test, a
 285 fee of five dollars for each test for the removal of a restriction to a
 286 commercial driver's license relating to air brakes. There shall be
 287 charged, in addition to the fee provided in subsection (b) of this section
 288 for such knowledge test, a fee of five dollars for each combination
 289 vehicle knowledge test.

290 Sec. 19. Subsections (a) and (b) of section 14-181 of the general
 291 statutes are repealed and the following is substituted in lieu thereof
 292 (*Effective from passage*):

293 (a) If the interest of an owner in a vehicle passes to another other
 294 than by voluntary transfer, the transferee shall, except as provided in
 295 subsection (b) of this section, promptly mail or deliver to the
 296 commissioner the last certificate of title, if available, proof of the
 297 transfer, and his or her application for a new certificate in the form the
 298 commissioner prescribes.

299 (b) If the interest of the owner is terminated or the vehicle is sold
 300 under a security agreement by a lienholder named in the certificate of
 301 title, the transferee shall promptly mail or deliver to the commissioner
 302 the last certificate of title, his or her application for a new certificate in
 303 the form the commissioner prescribes, and an affidavit made by or on
 304 behalf of the lienholder that the vehicle was repossessed and that the
 305 interest of the owner was lawfully terminated or sold pursuant to the
 306 terms of the security agreement. If the lienholder succeeds to the
 307 interest of the owner and holds the vehicle for resale, [he] the
 308 lienholder need not secure a new certificate of title but, upon transfer
 309 to another person, shall promptly mail or deliver to the transferee or to
 310 the commissioner the certificate, affidavit and other documents
 311 required to be sent to the commissioner by the transferee.

312 Sec. 20. Subsection (a) of section 14-222a of the 2008 supplement to
 313 the general statutes is repealed and the following is substituted in lieu
 314 thereof (*Effective from passage*):

315 (a) Except as provided in subsection (b) of this section, any person
 316 who, in consequence of the negligent operation of a motor vehicle,
 317 causes the death of another person shall be fined not more than one
 318 thousand dollars or imprisoned not more than six months, or both.

319 Sec. 21. Subsection (b) of section 14-275 of the 2008 supplement to
 320 the general statutes is repealed and the following is substituted in lieu
 321 thereof (*Effective from passage*):

322 (b) Each school bus shall be painted a uniform yellow color known
 323 as "National School Bus Glossy Yellow", except for the fenders and
 324 trim which may be painted black and the roof which may be painted
 325 white, and shall have conspicuously painted on the rear and on the
 326 front [thereof] of such vehicle, in black lettering of a size to be
 327 determined by the Commissioner of Motor Vehicles, the words "School
 328 Bus-Stop on Signal", except that each school bus equipped with an
 329 eight-light warning system shall have the words "School Bus" painted
 330 on the rear and on the front [thereof] of such vehicle in such lettering.

331 The sides of such vehicles may be inscribed with the words "School
332 Bus", the school name or such other legend or device as may be
333 necessary for purposes of identification or safety. Each school bus shall
334 have conspicuously painted on the rear and sides of such [vehicles]
335 vehicle, in black lettering of a size to be determined by the
336 commissioner, the name of the school bus company, the school bus
337 company's telephone number and the school bus number.

338 Sec. 22. Subsection (c) of section 14-279 of the general statutes is
339 repealed and the following is substituted in lieu thereof (*Effective from*
340 *passage*):

341 (c) Upon receipt of a written report from any school bus operator
342 specifying the license plate number, color and type of any vehicle
343 observed violating any provision of subsection (a) of this section and
344 the date, approximate time and location of such violation, a police
345 officer shall issue a written warning or a summons to the owner of any
346 such vehicle.

347 Sec. 23. Subsection (b) of section 14-296aa of the general statutes is
348 repealed and the following is substituted in lieu thereof (*Effective from*
349 *passage*):

350 (b) (1) Except as otherwise provided in this subsection and
351 subsections (c) and (d) of this section, no person shall operate a motor
352 vehicle upon a highway, as defined in [subsection (a) of] section 14-1 of
353 the 2008 supplement to the general statutes, while using a hand-held
354 mobile telephone to engage in a call or while using a mobile electronic
355 device while such vehicle is in motion. (2) An operator of a motor
356 vehicle who holds a hand-held mobile telephone to, or in the
357 immediate proximity of, his or her ear while such vehicle is in motion
358 is presumed to be engaging in a call within the meaning of this section.
359 The presumption established by this subdivision is rebuttable by
360 evidence tending to show that the operator was not engaged in a call.
361 (3) The provisions of this subsection shall not be construed as
362 authorizing the seizure or forfeiture of a hand-held mobile telephone

363 or a mobile electronic device, unless otherwise provided by law. (4)
364 Subdivision (1) of this subsection does not apply to: (A) The use of a
365 hand-held mobile telephone for the sole purpose of communicating
366 with any of the following regarding an emergency situation: An
367 emergency response operator; a hospital, physician's office or health
368 clinic; an ambulance company; a fire department; or a police
369 department, or (B) any of the following persons while in the
370 performance of their official duties and within the scope of their
371 employment: A peace officer, as defined in subdivision (9) of section
372 53a-3 of the 2008 supplement to the general statutes, a firefighter or an
373 operator of an ambulance or authorized emergency vehicle, as defined
374 in [subsection (a) of] section 14-1 of the 2008 supplement to the general
375 statutes, or (C) the use of a hands-free mobile telephone.

376 Sec. 24. Subsection (e) of section 14-296aa of the general statutes is
377 repealed and the following is substituted in lieu thereof (*Effective from*
378 *passage*):

379 (e) Except as provided in subsections (b) to (d), inclusive, of this
380 section, no person shall engage in any activity not related to the actual
381 operation of a motor vehicle in a manner that interferes with the safe
382 operation of such vehicle on any highway, as defined in [subsection (a)
383 of] section 14-1 of the 2008 supplement to the general statutes.

384 Sec. 25. Subsection (f) of section 15-154 of the 2008 supplement to
385 the general statutes is repealed and the following is substituted in lieu
386 thereof (*Effective from passage*):

387 (f) A person who violates subsection (e) of this section shall be fined
388 not less than fifty dollars [nor] or more than two hundred dollars.

389 Sec. 26. Subsection (c) of section 16-262m of the 2008 supplement to
390 the general statutes is repealed and the following is substituted in lieu
391 thereof (*Effective from passage*):

392 (c) For systems serving twenty-five or more residents that are not

the subject of proceedings under subsection (c) of section 16-262n or section 16-262o, an application for a certificate of public convenience and necessity shall be on a form prescribed by the Department of Public Utility Control, in consultation with the Department of Public Health, and accompanied by a copy of the water company's construction or expansion plans, a fee of one hundred dollars and when applicable, a copy of a signed agreement between the water company and provider for the exclusive service area, as determined pursuant to section 25-33g, detailing those terms and conditions under which the system will be constructed or expanded and for which the provider will assume service and ownership responsibilities. The departments shall issue a certificate to an applicant upon determining, to their satisfaction, that (1) no interconnection is feasible with a water system owned by, or made available through arrangement with, the provider for the exclusive service area, as determined pursuant to section 25-33g, or with another existing water system where no exclusive service area has been assigned, (2) the applicant will complete the construction or expansion in accordance with engineering standards established by regulation by the Department of Public Utility Control for water supply systems, (3) ownership of the system will be assigned to the provider for the exclusive service area, as determined pursuant to section 25-33g, (4) the proposed construction or expansion will not result in a duplication of water service in the applicable service area, and (5) the applicant meets all federal and state standards for water supply systems. Any construction or expansion with respect to which a certificate is required shall thereafter be built, maintained and operated in conformity with the certificate and any terms, limitations or conditions contained therein.

Sec. 27. Subdivision (1) of subsection (e) of section 16-262m of the 2008 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(e) (1) For systems serving twenty-five or more persons, but not

426 twenty-five or more residents, at least sixty days in any one year an
427 application for a certificate of public convenience and necessity shall
428 be on a form prescribed by the Department of Public Health and
429 accompanied by a copy of the construction or expansion plans. The
430 Department of Public Health shall issue a certificate to an applicant
431 upon determining, to its satisfaction, that (A) no interconnection is
432 feasible with a water system owned by, or made available through
433 arrangement with, the provider for the exclusive service area, as
434 determined pursuant to section 25-33g, or with another existing water
435 system where no existing exclusive service area has been assigned, (B)
436 the applicant will complete the construction or expansion in
437 accordance with engineering standards established by regulation for
438 water supply systems, (C) ownership of the system will be assigned to
439 the provider for the exclusive service area, as determined pursuant to
440 section 25-33g, if agreeable to the exclusive service area provider and
441 the Department of Public Health, or may remain with the applicant, if
442 agreeable to the Department of Public Health, provided the applicant
443 has the financial, managerial and technical resources to (i) operate the
444 proposed water supply system in a reliable and efficient manner, and
445 (ii) provide continuous adequate service to consumers served by the
446 system, until such time as the water system for the exclusive service
447 area, as determined by section 25-33g, has made an extension of the
448 water main, after which the applicant shall obtain service from the
449 provider for the exclusive service area, (D) the proposed construction
450 or expansion will not result in a duplication of water service in the
451 applicable service area, and (E) the applicant meets all federal and
452 state standards for water supply systems. Any construction or
453 expansion with respect to which a certificate is required shall
454 thereafter be built, maintained and operated in conformity with the
455 certificate and any terms, limitation or conditions contained therein.
456 Properties held by the Department of Environmental Protection and
457 used for or in support of fish culture, natural resource conservation or
458 outdoor recreational purposes shall be exempt from the requirements
459 of subdivisions (1), (3) and (4) of subsection (c) of this section and

460 subparagraphs (A), (C) and (D) of [subdivision (1) of subsection (e) of
461 this section] this subdivision.

462 Sec. 28. Subsection (a) of section 17b-256 of the general statutes is
463 repealed and the following is substituted in lieu thereof (*Effective from*
464 *passage*):

465 (a) The Commissioner of Social Services may administer, within
466 available appropriations, a program providing payment for the cost of
467 drugs prescribed by a physician for the treatment of acquired
468 immunodeficiency syndrome or human immunodeficiency virus. The
469 commissioner, in consultation with the Commissioner of Public
470 Health, shall determine specific drugs to be covered and may
471 implement a pharmacy lock-in procedure for the program. The
472 Commissioner of Social Services shall adopt regulations, in accordance
473 with the provisions of chapter 54, to carry out the purposes of this
474 section. The commissioner may implement the program while in the
475 process of adopting regulations, provided notice of intent to adopt the
476 regulations is published in the Connecticut Law Journal within twenty
477 days of implementation. The regulations may include eligibility for all
478 persons with acquired immunodeficiency syndrome or human
479 immunodeficiency virus whose income is below four hundred per cent
480 of the federal poverty level. Subject to federal approval, the
481 commissioner may, within available federal resources, maintain
482 existing insurance policies for eligible clients, including, but not
483 limited to, coverage of costs associated with such policies, that provide
484 a full range of human immunodeficiency virus treatments and access
485 to comprehensive primary care services as determined by the
486 commissioner and as provided by federal law, and may provide
487 payment, determined by the commissioner, for (1) drugs and
488 nutritional supplements prescribed by a physician that prevent or treat
489 opportunistic diseases and conditions associated with acquired
490 immunodeficiency syndrome or human immunodeficiency virus; (2)
491 ancillary supplies related to the administration of such drugs; and (3)
492 laboratory tests ordered by a physician. On and after May 26, 2006,

493 [persons] any person who previously received insurance assistance
 494 under the program established pursuant to section 17b-255 of the
 495 general statutes, revision of 1958, revised to 2005, shall continue to
 496 receive such assistance until the expiration of the insurance coverage,
 497 provided such person continues to meet program eligibility
 498 requirements established in accordance with this subsection. On or
 499 before March 1, 2007, and annually thereafter, the Commissioner of
 500 Social Services shall report, in accordance with section 11-4a, to the
 501 joint standing committees of the General Assembly having cognizance
 502 of matters relating to human services, public health and appropriations
 503 and the budgets of state agencies on the projected availability of funds
 504 for the program established pursuant to this section.

505 Sec. 29. Subsection (d) of section 17b-341 of the general statutes is
 506 repealed and the following is substituted in lieu thereof (*Effective from*
 507 *passage*):

508 (d) Any party aggrieved by said commissioner's decision after a
 509 hearing conducted pursuant to subsection (b) or (c) [] of this section
 510 may appeal therefrom in accordance with the provisions of section 4-
 511 183, except venue shall be in the judicial district in which the home or
 512 hospital is located. Such appeal shall have precedence in respect to
 513 order of trial over all other cases except writs of habeas corpus, actions
 514 brought by or on behalf of the state, including informations on the
 515 relation of private individuals, and appeals from awards or decisions
 516 of workers' compensation commissioners.

517 Sec. 30. Subsection (c) of section 18-101b of the 2008 supplement to
 518 the general statutes is repealed and the following is substituted in lieu
 519 thereof (*Effective from passage*):

520 (c) Any inmate requesting permission to remain in a correctional
 521 facility, as provided in subsection (a) of this section, or any person
 522 requesting permission to remain in a program, as provided in
 523 subsection (b) of this section, shall submit such request, in writing, to
 524 the Commissioner of Correction not later than one week prior to the

525 scheduled date for the inmate's parole or discharge.

526 Sec. 31. Section 19a-88a of the general statutes is repealed and the
527 following is substituted in lieu thereof (*Effective from passage*):

528 For the purposes of subsection (c) of section 19a-88 of the 2008
529 supplement to the general statutes, the commissioner shall adopt
530 regulations, in accordance with the provisions of chapter 54, no later
531 than January 1, 2000. Such regulations shall include, but not be limited
532 to, (1) a definition of "retired from the profession" as that term applies
533 to registered nurses, advanced practice registered nurses and licensed
534 practical nurses, (2) procedures for the return to active employment of
535 such nurses who have retired from the profession, (3) appropriate
536 restrictions upon the scope of practice for such nurses who are retired
537 from the profession, including restricting the license of such nurses to
538 the provision of volunteer services without monetary compensation,
539 and (4) the requirement that any registered nurse, advanced practice
540 registered nurse, or licensed practical nurse seeking to renew a license
541 under the provisions of subsection (c) of section 19a-14, subsection (c)
542 of section 19a-88 of the 2008 supplement to the general statutes, this
543 section, subdivision (3) of section 20-66, subsections (l) to (n), inclusive,
544 of section 20-74s of the 2008 supplement to the general statutes, section
545 20-206bb of the 2008 supplement to the general statutes and sections 7
546 to 9, inclusive, of public act 99-249* shall be a holder in good standing
547 of a current license issued pursuant to chapter 378 as of the date of
548 application for renewal.

549 Sec. 32. Subsection (c) of section 20-677 of the general statutes is
550 repealed and the following is substituted in lieu thereof (*Effective from*
551 *passage*):

552 (c) In addition to any other remedy provided for in sections 20-670
553 to 20-676, inclusive, any person who violates any provision of
554 subsection (b) of this section [.] shall be fined not more than one
555 thousand dollars or imprisoned not more than six months, or both.

556 Sec. 33. Subsection (b) of section 22-287 of the general statutes is
557 repealed and the following is substituted in lieu thereof (*Effective from*
558 *passage*):

559 (b) Surveillance tests may be performed by a technician trained by
560 and under the supervision of the State Veterinarian and employed by
561 [the Livestock Division of] the Department of Agriculture, provided [.]
562 no condemnation shall be made on the basis of such surveillance tests.
563 The owner of any herd to be so tested shall provide assistance and
564 proper restraint for confining the animals for and during the
565 application of [said] such tests.

566 Sec. 34. Section 22-301 of the general statutes is repealed and the
567 following is substituted in lieu thereof (*Effective from passage*):

568 No milk may be offered for sale in Connecticut unless produced
569 from herds complying with sections 22-298, 22-299a, 22-303, 22-304, 22-
570 306 and 22-307 and this section. Before a permit may be issued by the
571 Commissioner of Agriculture for the sale of milk, information must be
572 available from the [Livestock Division] state Department of
573 Agriculture or from the livestock official of the state where the milk is
574 produced that such herd producing milk for sale has reacted
575 negatively to tests which meet Connecticut specifications for the
576 control of tuberculosis and brucellosis.

577 Sec. 35. Subdivision (5) of section 22-415a of the general statutes is
578 repealed and the following is substituted in lieu thereof (*Effective from*
579 *passage*):

580 (5) "Official test" means a serological test for equine infectious
581 anemia that is (A) approved by the Animal and Plant Health
582 Inspection Service of the United States Department of Agriculture, (B)
583 conducted in a laboratory approved by the Commissioner of
584 Agriculture, and (C) administered by a licensed veterinarian, state
585 veterinarian, or full-time employee with the [livestock division of the]
586 state Department of Agriculture.

587 Sec. 36. Section 26-72 of the general statutes is repealed and the
588 following is substituted in lieu thereof (*Effective from passage*):

589 The commissioner may, after notice and public hearing conducted
590 in the manner prescribed by section 26-67, issue regulations governing
591 and prescribing the taking of all species of fur-bearing animals by use
592 of traps within the state. Such regulations may (1) establish the open
593 and closed seasons, (2) establish the legal hours, (3) prescribe the legal
594 methods that may be used, including size, type and kind of traps and
595 the type and kind of bait and lures, (4) designate the places where
596 traps may be placed and set and the conditions under which the
597 placing and setting of traps will be legal, (5) establish the daily bag
598 limit and the season bag limit, and (6) assess a reasonable fee, or
599 develop a comparable equitable plan, for season trapping rights on
600 state-owned property. Assignment of such rights for specific areas may
601 be determined by drawing or by the order in which requests therefor
602 are recorded as received in the office of the commissioner when there
603 is a set fee for such areas, or the method of high bid may be used. No
604 person shall set, place or attend any trap upon the land of another
605 without having in [his] such person's possession the written
606 permission of the owner or lessee of such land, or [his] such owner's or
607 lessee's agent, and no person shall set, place or attend any trap not
608 having the name of the person using such trap legibly stamped
609 thereon or attached thereto; provided the owner or legal occupant of
610 such land or such person as [he] such owner or legal occupant
611 designates may set, place or attend any legal steel trap in any place
612 within a radius of one hundred feet of any permanent building located
613 on such land. No person who sets, places or attends any trap shall
614 permit more than twenty-four hours to elapse between visits to such
615 trap; provided, if such twenty-four-hour period expires before sunset,
616 the person who set such trap shall have until sunset to visit the same.
617 No person shall place, set or attend any snare, net or similar device
618 capable of taking or injuring any animal. The pelt of any fur-bearing
619 animal legally taken may be possessed, sold or transported at any
620 time. Upon demand of any officer having authority to serve criminal

621 process or any representative of the Department of Environmental
622 Protection, any person in possession of any such pelt shall furnish to
623 such officer or such representative satisfactory evidence that such pelt
624 was legally taken or acquired. No provision [hereof] of this section
625 shall be construed as prohibiting any landowner or lessee of land used
626 for agricultural purposes or any citizen of the United States, or any
627 person having on file in the court having jurisdiction thereof a written
628 declaration of [his] such person's intention to become a citizen of the
629 United States, who is regularly employed by such landowner or lessee,
630 from pursuing, trapping and killing at any time any fur-bearing
631 animal, except deer, which is injuring any property, or the owner of
632 any farm or enclosure used for breeding or raising any legally acquired
633 fur-bearing animal who has a game breeder's license issued by the
634 commissioner or a fur breeder's license issued by [the Livestock
635 Division of] the Department of Agriculture, from taking or killing any
636 such animal legally in [his] such owner's possession at any time or
637 having in possession any pelt thereof. No person shall molest, injure or
638 disturb any muskrat house or den at any time. Any fur-bearing animal
639 legally taken alive may be possessed by the person taking the same,
640 provided [he] such person shall notify the commissioner in a writing
641 signed by [him] such person stating the species and sex of such animal,
642 the date and the name of the town where such animal was taken and
643 the specific address where such animal will be kept. Any
644 representative of the department may at any time inspect such animal
645 and the enclosure or other facilities used to hold such animal and make
646 inquiry concerning the diet and other care such animal should have
647 and if, in the opinion of the commissioner or such representative, such
648 animal is not being provided adequate or proper facilities or care, such
649 animal may be seized by such representative of the department and be
650 disposed of as determined by the commissioner. Fur-bearing animals
651 taken alive, as [herein] provided in this section, shall not be sold or
652 exchanged, provided the person who legally possesses such animal
653 may apply to the commissioner for a game breeder's license or to [the
654 Livestock Division of] the Department of Agriculture for a fur

655 breeder's license and when so licensed [he] such person may breed
 656 such animal and the progeny thereof, and such issue when three
 657 generations removed from the wild may be sold or exchanged alive or
 658 dead. Any trap illegally set and any snare, net or similar device found
 659 placed or set in violation of the provisions of this section shall be
 660 seized by any representative of the department and, if not claimed
 661 within twenty-four hours, the commissioner may order such trap,
 662 snare, net or other device destroyed, sold or retained for use by the
 663 commissioner. Any person who violates any provision of this section
 664 or any regulation issued by the commissioner shall be fined not more
 665 than two hundred dollars or be imprisoned not more than sixty days,
 666 or both. Whenever any person is convicted, or forfeits any bond, or has
 667 [his] such person's case nolloed upon the payment of any sum of
 668 money, or receives a suspended sentence or judgment for a violation of
 669 any of the provisions of this section or any regulation issued hereunder
 670 by the commissioner, all traps used, set or placed in violation of any
 671 such provisions or any such regulation may, by order of the trial court,
 672 be forfeited to the state and may be retained for use by the department
 673 or may be sold or destroyed at the discretion of the commissioner. The
 674 proceeds from any such sale shall be paid to the State Treasurer and
 675 [by him credited] the State Treasurer shall credit such proceeds to the
 676 General Fund.

677 Sec. 37. Subsection (f) of section 31-109 of the general statutes is
 678 repealed and the following is substituted in lieu thereof (*Effective from*
 679 *passage*):

680 (f) Except as provided in subsection (e) of this section, unless
 681 otherwise directed by the court, commencement of proceedings under
 682 subsections (a) and (d) of this section shall not operate as a stay of such
 683 order.

684 Sec. 38. Subsection (b) of section 31-276 of the 2008 supplement to
 685 the general statutes is repealed and the following is substituted in lieu
 686 thereof (*Effective from passage*):

687 (b) Notwithstanding the provisions of subsection (a) of this section,
688 on and after October 1, 1988, any commissioner whose term expires on
689 December thirty-first shall continue to serve until the next succeeding
690 March thirty-first.

691 Sec. 39. Subsection (b) of section 32-237 of the 2008 supplement to
692 the general statutes is repealed and the following is substituted in lieu
693 thereof (*Effective from passage*):

694 (b) The center for supply chain integration, established pursuant to
695 subsection (a) of this section, shall make its services available to assist
696 small and medium-sized manufacturers in the state. The center shall
697 provide the same services to such manufacturers to promote supply
698 chain development, as described in subsection (a) of this section.

699 Sec. 40. Subsection (a) of section 34-327 of the general statutes is
700 repealed and the following is substituted in lieu thereof (*Effective from*
701 *passage*):

702 (a) Except as otherwise provided in subsections (b), (c) and (d) of
703 this section, all partners are liable jointly and severally for all
704 obligations of the partnership unless otherwise agreed by the claimant
705 or provided by law.

706 Sec. 41. Subsection (a) of section 38a-363 of the 2008 supplement to
707 the general statutes is repealed and the following is substituted in lieu
708 thereof (*Effective from passage*):

709 (a) "Injury" means bodily injury, sickness or disease, including death
710 resulting therefrom, accidentally caused and arising out of the
711 ownership, maintenance or use of a private passenger motor vehicle or
712 a vehicle with a commercial registration, as defined in subdivision (14)
713 of [subsection (a) of] section 14-1 of the 2008 supplement to the general
714 statutes.

715 Sec. 42. Subsection (b) of section 38a-503b of the general statutes is
716 repealed and the following is substituted in lieu thereof (*Effective from*

717 *passage*):

718 (b) Each carrier shall permit a female enrollee direct access to a
 719 participating in-network obstetrician-gynecologist for any
 720 gynecological examination or care related to pregnancy and shall allow
 721 direct access to a participating in-network obstetrician-gynecologist for
 722 primary and preventive obstetric and gynecologic services required as
 723 a result of any gynecological examination or as a result of a
 724 gynecological condition. Such obstetric and gynecologic services
 725 include, but are not limited to, pap smear tests. The plan may require
 726 the participating in-network obstetrician-gynecologist to discuss such
 727 services and any treatment plan with the female enrollee's primary
 728 care provider. Nothing in this section shall preclude access to an in-
 729 network nurse-midwife as licensed pursuant to sections 20-86c and 20-
 730 86g and in-network advanced practice registered nurses, as licensed
 731 pursuant to sections 20-93 and 20-94a for obstetrical and gynecological
 732 services within their scope of practice.

733 Sec. 43. Subsection (b) of section 38a-530b of the general statutes is
 734 repealed and the following is substituted in lieu thereof (*Effective from*
 735 *passage*):

736 (b) Each carrier shall permit a female enrollee direct access to a
 737 participating in-network obstetrician-gynecologist for any
 738 gynecological examination or care related to pregnancy and shall allow
 739 direct access to a participating in-network obstetrician-gynecologist for
 740 primary and preventive obstetric and gynecologic services required as
 741 a result of any gynecological examination or as a result of a
 742 gynecological condition. Such obstetric and gynecologic services
 743 include, but are not limited to, pap smear tests. The plan may require
 744 the participating in-network obstetrician-gynecologist to discuss such
 745 services and any treatment plan with the female enrollee's primary
 746 care provider. Nothing in this section shall preclude access to an in-
 747 network nurse-midwife as licensed pursuant to sections 20-86c and 20-
 748 86g and in-network advanced practice registered nurses, as licensed

749 pursuant to sections 20-93 and 20-94a for obstetrical and gynecological
750 services within their scope of practice.

751 Sec. 44. Subsection (c) of section 45a-8 of the 2008 supplement to the
752 general statutes is repealed and the following is substituted in lieu
753 thereof (*Effective from passage*):

754 (c) If suitable court facilities are not provided in accordance with
755 subsection (a) or (b) of this section: (1) The Probate Court
756 Administrator shall provide written notice, by first class mail, to the
757 judge of probate of the district and the chief executive officer of the
758 town in which the court is located, on or before October first of any
759 year in which suitable court facilities are not so provided. Such notice
760 shall specify the requirements of subsection (a) or (b) of this section
761 that are not met and shall direct the submission of a plan as required
762 by this subdivision. Not later than January first of the year following
763 the year in which such notice is provided, such chief executive officer,
764 or his or her representative, shall file with the Probate Court
765 Administrator a plan and time frame for meeting such requirements
766 and providing suitable court facilities; (2) not later than February first
767 of the year following the year in which notice is provided under
768 subdivision (1) of this [section] subsection, the Probate Court
769 Administrator shall submit a report to the joint standing committee of
770 the General Assembly having cognizance of matters relating to the
771 judiciary concerning the failure of the probate district to provide the
772 required court facilities, which report may include a recommendation
773 that the probate district be abolished as a separate district and be
774 consolidated with a contiguous district where suitable court facilities
775 can be provided; or (3) if, in the opinion of the Probate Court
776 Administrator, abolition of the district is not in the public interest and
777 judicial action is necessary to enforce the provision of suitable court
778 facilities, the Probate Court Administrator shall bring an action in the
779 Superior Court to enforce the requirements for the provision of
780 suitable court facilities.

781 Sec. 45. Subsection (a) of section 45a-186c of the 2008 supplement to
782 the general statutes is repealed and the following is substituted in lieu
783 thereof (*Effective from passage*):

784 (a) In an appeal taken under section 45a-186 of the 2008 supplement
785 to the general statutes, costs may be taxed in favor of the prevailing
786 party in the same manner, and to the same extent, [that] as such costs
787 are allowed in judgments rendered by the Superior Court.

788 Sec. 46. Section 45a-199 of the 2008 supplement to the general
789 statutes is repealed and the following is substituted in lieu thereof
790 (*Effective from passage*):

791 As used in sections [45a-143, 45a-152,] 45a-186c of the 2008
792 supplement to the general statutes, 45a-202 to 45a-208, inclusive, and
793 45a-242 to 45a-244, inclusive, unless otherwise defined or unless
794 otherwise required by the context, "fiduciary" includes an executor,
795 administrator, trustee, conservator or guardian.

796 Sec. 47. Subsection (b) of section 45a-649 of the 2008 supplement to
797 the general statutes is repealed and the following is substituted in lieu
798 thereof (*Effective from passage*):

799 (b) The notice required by subdivision (2) of subsection (a) of this
800 section shall specify [(A)] (1) the nature of involuntary representation
801 sought and the legal consequences thereof, [(B)] (2) the facts alleged in
802 the application, [(C)] (3) the date, time and place of the hearing, and
803 [(D)] (4) that the respondent has a right to be present at the hearing
804 and has a right to be represented by an attorney of the respondent's
805 choice at the respondent's own expense. The notice shall also include a
806 statement in boldface type of a minimum size of twelve points in
807 substantially the following form:

808 "POSSIBLE CONSEQUENCES OF THE APPOINTMENT

809 OF A CONSERVATOR FOR YOU

810 This court has received an application to appoint a conservator for
811 you. A conservator is a court-appointed legal guardian who may be
812 assigned important decision-making authority over your affairs. If the
813 application is granted and a conservator is appointed for you, you will
814 lose some of your rights.

815 A permanent conservator may only be appointed for you after a
816 court hearing. You have the right to attend the hearing on the
817 application for appointment of a permanent conservator. If you are not
818 able to access the court where the hearing will be held, you may
819 request that the hearing be moved to a convenient location, even to
820 your place of residence.

821 You should have an attorney represent you at the hearing on the
822 application. If you are unable to obtain an attorney to represent you at
823 the hearing, the court will appoint an attorney for you. If you are
824 unable to pay for representation by an attorney, the court will pay
825 attorney fees as permitted by the court's rules. Even if you qualify for
826 payment of an attorney on your behalf, you may choose an attorney if
827 the attorney will accept the attorney fees permitted by the court's rules.

828 If, after a hearing on the application, the court decides that you lack
829 the ability to care for yourself, pay your bills or otherwise manage
830 your affairs, the court may review any alternative plans you have to
831 get assistance to handle your own affairs that do not require
832 appointment of a conservator. If the court decides that there are no
833 adequate alternatives to the appointment of a conservator, the court
834 may appoint a conservator and assign the conservator responsibility
835 for some or all of the duties listed below. While the purpose of a
836 conservator is to help you, you should be aware that the appointment
837 of a conservator limits your rights. Among the areas that may be
838 affected are:

839 - Accessing and budgeting your money

840 - Deciding where you live

841 - Making medical decisions for you

842 - Paying your bills

843 - Managing your real and personal property

844 You may participate in the selection of your conservator. If you
845 have already designated a conservator or if you inform the court of
846 your choice for a conservator, the court must honor your request
847 unless the court decides that the person designated by you is not
848 appropriate.

849 The conservator appointed for you may be a lawyer, a public official
850 or someone whom you did not know before the appointment. The
851 conservator will be required to make regular reports to the court about
852 you. The conservator may charge you a fee, under the supervision of
853 the court, for being your conservator."

854 Sec. 48. Subsections (g) and (h) of section 45a-650 of the 2008
855 supplement to the general statutes are repealed and the following is
856 substituted in lieu thereof (*Effective from passage*):

857 (g) When determining whether a conservator should be appointed
858 the court shall consider the following factors: (1) The abilities of the
859 respondent; (2) the respondent's capacity to understand and articulate
860 an informed preference regarding the care of his or her person or the
861 management of his or her affairs; (3) any relevant and material
862 information obtained from the respondent; (4) evidence of the
863 respondent's past preferences and life style choices; (5) the
864 respondent's cultural background; (6) the desirability of maintaining
865 continuity in the respondent's life and environment; (7) whether the
866 respondent had previously made adequate alternative arrangements
867 for the care of his or her person or for the management of his or her
868 affairs, including, but not limited to, the execution of a durable power
869 of attorney [] or springing power of attorney, the appointment of a
870 health care representative or health care agent, the execution of a living

871 will or trust or the execution of any other similar document; (8) any
872 relevant and material evidence from the respondent's family and any
873 other person regarding the respondent's past practices and
874 preferences; and (9) any supportive services, technologies or other
875 means that are available to assist the respondent in meeting his or her
876 needs.

877 (h) The respondent or conserved person may appoint, designate or
878 nominate a conservator pursuant to section 19a-580e of the 2008
879 supplement to the general statutes, 19a-580g or 45a-645 of the 2008
880 supplement to the general statutes, or may, orally or in writing,
881 nominate a conservator who shall be appointed unless the court finds
882 that the appointee, designee or nominee is unwilling or unable to serve
883 or there is substantial evidence to disqualify such person. If there is no
884 such appointment, designation or nomination or if the court does not
885 appoint the person appointed, designated or nominated by the
886 respondent or conserved person, the court may appoint any qualified
887 person, authorized public official or corporation in accordance with
888 subsections (a) and (b) of section 45a-644 of the 2008 supplement to the
889 general statutes. In considering [who] whom to appoint as conservator,
890 the court shall consider (1) the extent to which a proposed conservator
891 has knowledge of the respondent's or conserved person's preferences
892 regarding the care of his or her person or the management of his or her
893 affairs, (2) the ability of the proposed conservator to carry out the
894 duties, responsibilities and powers of a conservator, (3) the cost of the
895 proposed conservatorship to the estate of the respondent or conserved
896 person, (4) the proposed conservator's commitment to promoting the
897 respondent's or conserved person's welfare and independence, and (5)
898 any existing or potential conflicts of interest of the proposed
899 conservator.

900 Sec. 49. Subsection (b) of section 45a-654 of the 2008 supplement to
901 the general statutes is repealed and the following is substituted in lieu
902 thereof (*Effective from passage*):

903 (b) Unless the court waives the medical evidence requirement
 904 pursuant to subsection (e) of this section, an appointment of a
 905 temporary conservator shall not be made unless a report is filed with
 906 the application for appointment of a temporary conservator, signed by
 907 a physician licensed to practice medicine or surgery in this state,
 908 stating: (1) That the physician has examined the respondent and the
 909 date of such examination, which shall not be more than three days
 910 prior to the date of presentation to the judge; (2) that it is the opinion of
 911 the physician that the respondent is incapable of managing his or her
 912 affairs or incapable of caring for himself or herself; and (3) the reasons
 913 for such opinion. Any physician's report filed with the court pursuant
 914 to this subsection shall be confidential. The court shall provide for the
 915 disclosure of the medical information required pursuant to this
 916 subsection to the respondent on the respondent's request, to the
 917 respondent's attorney and to any other party considered appropriate
 918 by the court.

919 Sec. 50. Subsection (h) of section 45a-656b of the 2008 supplement to
 920 the general statutes is repealed and the following is substituted in lieu
 921 thereof (*Effective from passage*):

922 (h) For purposes of this section, an "institution for long-term care"
 923 means a facility that has been federally certified as a skilled nursing
 924 facility, an intermediate care facility, a residential care home, an
 925 extended care facility, a nursing home, a rest home [and] or a
 926 rehabilitation hospital or facility.

927 Sec. 51. Subsection (b) of section 46b-124 of the 2008 supplement to
 928 the general statutes is repealed and the following is substituted in lieu
 929 thereof (*Effective from passage*):

930 (b) All records of cases of juvenile matters, as provided in section
 931 46b-121 of the 2008 supplement to the general statutes, except
 932 delinquency proceedings, or any part thereof, and all records of
 933 appeals from probate brought to the superior court for juvenile matters
 934 pursuant to [subsection (b) of] section 45a-186 of the 2008 supplement

935 to the general statutes, shall be confidential and for the use of the court
936 in juvenile matters, and open to inspection or disclosure to any third
937 party, including bona fide researchers commissioned by a state agency,
938 only upon order of the Superior Court, except that: (1) The records
939 concerning any matter transferred from a court of probate pursuant to
940 section 45a-623 or subsection (g) of section 45a-715 or any appeal from
941 probate to the superior court for juvenile matters pursuant to
942 [subsection (b) of] section 45a-186 of the 2008 supplement to the
943 general statutes shall be available to the court of probate from which
944 such matter was transferred or from which such appeal was taken; (2)
945 such records shall be available to (A) the attorney representing the
946 child or youth, including the Division of Public Defender Services, in
947 any proceeding in which such records are relevant, (B) the parents or
948 guardian of the child or youth until such time as the child or youth
949 reaches the age of majority or becomes emancipated, (C) an adult
950 adopted person in accordance with the provisions of sections 45a-736,
951 45a-737 and 45a-743 to 45a-757, inclusive, (D) employees of the
952 Division of Criminal Justice who in the performance of their duties
953 require access to such records, (E) employees of the judicial branch
954 who in the performance of their duties require access to such records,
955 (F) another court under the provisions of subsection (d) of section 46b-
956 115j, (G) the subject of the record, upon submission of satisfactory
957 proof of the subject's identity, pursuant to guidelines prescribed by the
958 Office of the Chief Court Administrator, provided the subject has
959 reached the age of majority or has been emancipated, (H) the
960 Department of Children and Families, and (I) the employees of the
961 Commission on Child Protection who in the performance of their
962 duties require access to such records; and (3) all or part of the records
963 concerning a youth in crisis with respect to whom a court order has
964 been issued pursuant to subdivision (1) of subsection (c) of section 46b-
965 150f of the 2008 supplement to the general statutes may be made
966 available to the Department of Motor Vehicles, provided such records
967 are relevant to such order. Any records of cases of juvenile matters, or
968 any part thereof, provided to any persons, governmental and private

969 agencies, and institutions pursuant to this section shall not be
970 disclosed, directly or indirectly, to any third party not specified in
971 subsection (d) of this section, except as provided by court order or in
972 the report required under section 54-76d or 54-91a.

973 Sec. 52. Subsection (b) of section 46b-124 of the 2008 supplement to
974 the general statutes, as amended by section 81 of public act 07-4 of the
975 June special session, is repealed and the following is substituted in lieu
976 thereof (*Effective January 1, 2010*):

977 (b) All records of cases of juvenile matters, as provided in section
978 46b-121 of the 2008 supplement to the general statutes, except
979 delinquency proceedings, or any part thereof, and all records of
980 appeals from probate brought to the superior court for juvenile matters
981 pursuant to [subsection (b) of] section 45a-186 of the 2008 supplement
982 to the general statutes, shall be confidential and for the use of the court
983 in juvenile matters, and open to inspection or disclosure to any third
984 party, including bona fide researchers commissioned by a state agency,
985 only upon order of the Superior Court, except that: (1) The records
986 concerning any matter transferred from a court of probate pursuant to
987 section 45a-623 or subsection (g) of section 45a-715 or any appeal from
988 probate to the superior court for juvenile matters pursuant to
989 [subsection (b) of] section 45a-186 of the 2008 supplement to the
990 general statutes shall be available to the court of probate from which
991 such matter was transferred or from which such appeal was taken; (2)
992 such records shall be available to (A) the attorney representing the
993 child or youth, including the Division of Public Defender Services, in
994 any proceeding in which such records are relevant, (B) the parents or
995 guardian of the child or youth until such time as the child or youth
996 reaches the age of majority or becomes emancipated, (C) an adult
997 adopted person in accordance with the provisions of sections 45a-736,
998 45a-737 and 45a-743 to 45a-757, inclusive, (D) employees of the
999 Division of Criminal Justice who in the performance of their duties
1000 require access to such records, (E) employees of the judicial branch
1001 who in the performance of their duties require access to such records,

1002 (F) another court under the provisions of subsection (d) of section 46b-
 1003 115j, (G) the subject of the record, upon submission of satisfactory
 1004 proof of the subject's identity, pursuant to guidelines prescribed by the
 1005 Office of the Chief Court Administrator, provided the subject has
 1006 reached the age of majority or has been emancipated, (H) the
 1007 Department of Children and Families, and (I) the employees of the
 1008 Commission on Child Protection who in the performance of their
 1009 duties require access to such records; and (3) all or part of the records
 1010 concerning a youth in crisis with respect to whom a court order was
 1011 issued prior to January 1, 2010, may be made available to the
 1012 Department of Motor Vehicles, provided such records are relevant to
 1013 such order. Any records of cases of juvenile matters, or any part
 1014 thereof, provided to any persons, governmental and private agencies,
 1015 and institutions pursuant to this section shall not be disclosed, directly
 1016 or indirectly, to any third party not specified in subsection (d) of this
 1017 section, except as provided by court order or in the report required
 1018 under section 54-76d or 54-91a.

1019 Sec. 53. Subsection (b) of section 47-75a of the general statutes is
 1020 repealed and the following is substituted in lieu thereof (*Effective from*
 1021 *passage*):

1022 (b) The principal officer of the unit owners' association or such other
 1023 officer or officers as the condominium instruments may specify [,] shall
 1024 furnish the statements prescribed [by] in subsection (a) [hereof] of this
 1025 section upon the written request of any unit owner within fifteen days
 1026 of the receipt of such request.

1027 Sec. 54. Subsection (a) of section 50a-60 of the general statutes is
 1028 repealed and the following is substituted in lieu thereof (*Effective from*
 1029 *passage*):

1030 (a) Subject to subsection (b) of this section, if an action is brought to
 1031 enforce a judgment of another jurisdiction expressed in a foreign
 1032 money and the judgment is recognized in this state as enforceable, the
 1033 enforcing judgment shall be entered as provided in section 50a-57 of

1034 the 2008 supplement to the general statutes, whether or not the foreign
1035 judgment confers an option to pay in an equivalent amount of United
1036 States dollars. A satisfaction or partial payment made upon the foreign
1037 judgment, on proof thereof, shall be credited against the amount of
1038 foreign money specified in the judgment, notwithstanding the entry of
1039 judgment in this state.

1040 Sec. 55. Subsection (c) of section 51-247a of the general statutes is
1041 repealed and the following is substituted in lieu thereof (*Effective from*
1042 *passage*):

1043 (c) Any employer who fails to compensate a juror-employee under
1044 [subsection (b) of] section 51-247 of the 2008 supplement to the general
1045 statutes and who has not been excused from such duty under section
1046 51-247c of the 2008 supplement to the general statutes shall be liable to
1047 the juror-employee for damages. The juror may commence a civil
1048 action in any superior court having jurisdiction over the parties.
1049 Extreme financial hardship on the employer shall not be a defense to
1050 [this] such action. The court may award treble damages and reasonable
1051 attorney's fees to the juror upon a finding of wilful conduct by the
1052 employer.

1053 Sec. 56. Subsection (e) of section 52-143 of the general statutes is
1054 repealed and the following is substituted in lieu thereof (*Effective from*
1055 *passage*):

1056 (e) If any person summoned by the state, or by the Attorney General
1057 or an assistant attorney general, or by any public defender or assistant
1058 public defender acting in his or her official capacity, by a subpoena
1059 containing the statement as provided in subsection (d) of this section,
1060 or if any other person upon whom a subpoena is served to appear and
1061 testify in a cause pending before any court and to whom one day's
1062 attendance and fees for traveling to court have been tendered, fails to
1063 appear and testify, without reasonable excuse, [he] such person shall
1064 be fined not more than twenty-five dollars and pay all damages to the
1065 party aggrieved; and the court or judge, on proof of the service of a

1066 subpoena containing the statement as provided in subsection (d) of
 1067 this section, or on proof of the service of a subpoena and the tender of
 1068 such fees, may issue a capias directed to some proper officer to arrest
 1069 the witness and bring [him] the witness before the court to testify.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	3-20a(a)
Sec. 2	<i>from passage</i>	4-68o(f)
Sec. 3	<i>from passage</i>	4b-15b(b)
Sec. 4	<i>from passage</i>	7-131(d)
Sec. 5	<i>from passage</i>	7-151a(c)
Sec. 6	<i>from passage</i>	7-323c(e)
Sec. 7	<i>from passage</i>	7-425(3)
Sec. 8	<i>from passage</i>	8-265i(b)
Sec. 9	<i>from passage</i>	10-158a(b)
Sec. 10	<i>from passage</i>	10-221d(d)
Sec. 11	<i>from passage</i>	12-2(b)
Sec. 12	<i>from passage</i>	12-412(82)
Sec. 13	<i>from passage</i>	13b-50a
Sec. 14	<i>from passage</i>	13b-57g(j)
Sec. 15	<i>from passage</i>	14-12a(b)
Sec. 16	<i>from passage</i>	14-36a(e)
Sec. 17	<i>from passage</i>	14-44(b)
Sec. 18	<i>from passage</i>	14-44i(c)
Sec. 19	<i>from passage</i>	14-181(a) and (b)
Sec. 20	<i>from passage</i>	14-222a(a)
Sec. 21	<i>from passage</i>	14-275(b)
Sec. 22	<i>from passage</i>	14-279(c)
Sec. 23	<i>from passage</i>	14-296aa(b)
Sec. 24	<i>from passage</i>	14-296aa(e)
Sec. 25	<i>from passage</i>	15-154(f)
Sec. 26	<i>from passage</i>	16-262m(c)
Sec. 27	<i>from passage</i>	16-262m(e)(1)
Sec. 28	<i>from passage</i>	17b-256(a)
Sec. 29	<i>from passage</i>	17b-341(d)
Sec. 30	<i>from passage</i>	18-101b(c)
Sec. 31	<i>from passage</i>	19a-88a

Sec. 32	<i>from passage</i>	20-677(c)
Sec. 33	<i>from passage</i>	22-287(b)
Sec. 34	<i>from passage</i>	22-301
Sec. 35	<i>from passage</i>	22-415a(5)
Sec. 36	<i>from passage</i>	26-72
Sec. 37	<i>from passage</i>	31-109(f)
Sec. 38	<i>from passage</i>	31-276(b)
Sec. 39	<i>from passage</i>	32-237(b)
Sec. 40	<i>from passage</i>	34-327(a)
Sec. 41	<i>from passage</i>	38a-363(a)
Sec. 42	<i>from passage</i>	38a-503b(b)
Sec. 43	<i>from passage</i>	38a-530b(b)
Sec. 44	<i>from passage</i>	45a-8(c)
Sec. 45	<i>from passage</i>	45a-186c(a)
Sec. 46	<i>from passage</i>	45a-199
Sec. 47	<i>from passage</i>	45a-649(b)
Sec. 48	<i>from passage</i>	45a-650(g) and (h)
Sec. 49	<i>from passage</i>	45a-654(b)
Sec. 50	<i>from passage</i>	45a-656b(h)
Sec. 51	<i>from passage</i>	46b-124(b)
Sec. 52	<i>January 1, 2010</i>	46b-124(b)
Sec. 53	<i>from passage</i>	47-75a(b)
Sec. 54	<i>from passage</i>	50a-60(a)
Sec. 55	<i>from passage</i>	51-247a(c)
Sec. 56	<i>from passage</i>	52-143(e)

Statement of Purpose:

To make various technical changes concerning grammar, clarity, accuracy of internal references and consistency in the general statutes.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]